

<u>Description</u>	<u>Appendix</u>
Affidavit of Michael J. Guidotti	56-58
Affidavit of Russell O. Farr	59-62
Affidavit of John F. McCarthy, Jr.	63-65
Ex. A. 9/1/09 Letter to American Arbitration Association for Demand for Arbitration, and attached copy of Employment Agreement	66-81
Ex. B 9/15/09 Letter from William G. Miossi, counsel for Susan Bailey	82-83
Ex. C 9/16/09 Letter to William G. Miossi in response to the Inquiry raised in Mr. Miossi's letter	84-85
Ex. D 10/6/09 Letter from William G. Miossi to American Arbitration Association requesting sixty (60) day suspension of arbitration proceedings	86-87
Ex. E 10/6/09 Letter from Case Manager Deanna E. Vicks of American Arbitration Association advising the arbitration has been suspended for sixty (60) days	88

Respectfully submitted,

\s\ John F. McCarthy, Jr.

John F. McCarthy, Jr.
Texas State Bar No. 13374500
M. Scott McDonald
Texas State Bar No. 13555505
Jeremy W. Hawpe
Texas State Bar No. 24046041

LITTLER MENDELSON
A Professional Corporation
2001 Ross Avenue
Suite 1500, LockBox 116
Dallas, TX 75201
Telephone: 214.880.8100
Facsimile: 214.880.0181

jmcCarthy@littler.com
smcdonald@littler.com
jhawpe@littler.com

ATTORNEYS FOR PLAINTIFF
CARIS DIAGNOSTICS, INC.

CERTIFICATE OF SERVICE

On October 29, 2009, I electronically submitted the foregoing document with the Clerk of the Court for the U.S. District Court, Northern District of Texas, using the electronic case file system of the Court. I hereby certify that I have served all counsel and/or *pro se* parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(5).

/s/ John F. McCarthy, Jr.
John F. McCarthy, Jr.